(2) Continuation of old rules

Except as inconsistent with this chapter, and until modified by the Commission, the rules of the Commission on Civil Rights in effect on September 30, 1994 shall be the initial rules of the Commission.

(e) Cooperation

All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(Pub. L. 98-183, §4, Nov. 30, 1983, 97 Stat. 1304; Pub. L. 103-419, §2, Oct. 25, 1994, 108 Stat. 4340.)

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (a)(2)(A), are set out in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in subsec. (a)(2)(A), are classified generally to chapter 51 (\S 5101 et seq.) and subchapter III (\S 5331 et seq.) of chapter 53 of Title 5

PRIOR PROVISIONS

A prior section 1975b, Pub. L. 85–315, pt. I, \S 103, Sept. 9, 1957, 71 Stat. 635; Pub. L. 88–352, title V, \S \$502, 503, July 2, 1964, 78 Stat. 250, 251; Pub. L. 91–521, \S 1, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92–496, \S 2, Oct. 14, 1972, 86 Stat. 813; Pub. L. 95–444, \S 2, Oct. 10, 1978, 92 Stat. 1067, related to compensation of members of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103–419 amended section generally, substituting administrative provisions for provisions relating to compensation of members of Commission.

§ 1975c. Authorization of appropriations

There are authorized to be appropriated,¹ to carry out this chapter \$9,500,000 for fiscal year 1995. None of the sums authorized to be appropriated for fiscal year 1995 may be used to create additional regional offices.

(Pub. L. 98–183, §5, Nov. 30, 1983, 97 Stat. 1304; Pub. L. 102–167, §2, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103–419, §2, Oct. 25, 1994, 108 Stat. 4341.)

PRIOR PROVISIONS

A prior section 1975c, Pub. L. 85–315, pt. I, §104, Sept. 9, 1957, 71 Stat. 635; Pub. L. 86–383, title IV, §401, Sept. 28, 1959, 73 Stat. 724; Pub. L. 87–264, title IV, §401, Sept. 21, 1961, 75 Stat. 559; Pub. L. 88–152, §2, Oct. 17, 1963, 77 Stat. 271; Pub. L. 88–352, title V, §504, July 2, 1964, 78 Stat. 251; Pub. L. 90–198, §1, Dec. 14, 1967, 81 Stat. 582; Pub. L. 92–496, §§3, 4, Oct. 14, 1972, 86 Stat. 813, 814; Pub. L. 95–444, §3, Oct. 10, 1978, 92 Stat. 1067; Pub. L. 96–81, §2, Oct. 6, 1979, 93 Stat. 642, related to duties of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103–419 amended section generally, substituting provisions authorizing appropriations for fiscal year 1995 for provisions relating to duties of Commission.

1991—Subsec. (f). Pub. L. 102–167, which directed the insertion of "The Commission shall, in addition to any other reports under this section, submit at least one annual report that monitors Federal civil rights enforcement efforts in the United States to Congress and

to the President." at the end of this section, was executed by making the insertion at the end of subsec. (f).

§ 1975d. Termination

This chapter shall terminate on September 30, 1996

(Pub. L. 98–183, §6, Nov. 30, 1983, 97 Stat. 1305; Pub. L. 102–167, §5, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103–419, §2, Oct. 25, 1994, 108 Stat. 4342.)

PRIOR PROVISIONS

A prior section 1975d, Pub. L. 85–315, pt. I, \S 105, Sept. 9, 1957, 71 Stat. 636; Pub. L. 86–449, title IV, \S 401, May 6, 1960, 74 Stat. 89; Pub. L. 88–352, title V, \S \$505–507, July 2, 1964, 78 Stat. 251, 252; Pub. L. 91–521, \S 2, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92–496, \S 5, Oct. 14, 1972, 86 Stat. 814; Pub. L. 95–444, \S \$4–6, Oct. 10, 1978, 92 Stat. 1067, 1068, related to powers of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103–419 amended section generally, substituting provisions terminating this chapter Sept. 30, 1996, for provisions relating to powers of Commission.

1991—Subsec. (f). Pub. L. 102–167 substituted "Chairperson" for "Chairman" in two places.

§§ 1975e, 1975f. Omitted

CODIFICATION

Sections 1975e and 1975f were omitted in the general amendment of this chapter by Pub. L. 103–419.

Section 1975e, Pub. L. 98–183, §7, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101–180, §2(1), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102–167, §3, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 102–400, §2, Oct. 7, 1992, 106 Stat. 1955, authorized appropriations to carry out this chapter. See section 1975c of this title.

A prior section 1975e, Pub. L. 85–315, pt. I, §106, Sept. 9, 1957, 71 Stat. 636; Pub. L. 90–198, §2, Dec. 14, 1967, 81 Stat. 582; Pub. L. 91–521, §3, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92–64, Aug. 4, 1971, 85 Stat. 166; Pub. L. 92–496, §6, Oct. 14, 1972, 86 Stat. 814; Pub. L. 94–292, §2, May 27, 1976, 90 Stat. 524; Pub. L. 95–132, §2, Oct. 13, 1977, 91 Stat. 1157; Pub. L. 95–444, §7, Oct. 10, 1978, 92 Stat. 1068; Pub. L. 96–81, §3, Oct. 6, 1979, 93 Stat. 642; Pub. L. 96–447, §2, Oct. 13, 1980, 94 Stat. 1894, related to authorization of appropriations for this chapter. See Codification note set out preceding section 1975 of this title.

Section 1975f, Pub. L. 98–183, §8, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101–180, §2(2), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102–167, §4, Nov. 26, 1991, 105 Stat. 1101, provided termination date for this chapter. See section 1975d of this title.

CHAPTER 21—CIVIL RIGHTS

SUBCHAPTER I—GENERALLY

1981.

1981a.

Equal rights under the law.

- (a) Statement of equal rights.
 - (b) "Make and enforce contracts" defined.
- (c) Protection against impairment. Damages in cases of intentional discrimination in employment.
 - (a) Right of recovery.
 - (b) Compensatory and punitive damages.
 - (c) Jury trial.
 - (d) Definitions.
- 982. Property rights of citizens.
- 1983. Civil action for deprivation of rights.
- 984. Omitted.
- 1985. Conspiracy to interfere with civil rights.
 - (1) Preventing officer from performing duties.

¹ So in original. The comma probably should not appear.

Sec.		Sec.	
Sec.	(2) Obstructing justice; intimidat-	Sec.	(g) Waiver of reply.
	ing party, witness, or juror.		(h) "Prisoner" defined.
	(3) Depriving persons of rights or	1997f.	Report to Congress.
	privileges.	1997g.	Priorities for use of funds.
1986.	Action for neglect to prevent.	1997h.	Notice to Federal departments.
1987. 1988.	Prosecution of violation of certain laws. Proceedings in vindication of civil	1997i. 1997j.	Disclaimer respecting standards of care. Disclaimer respecting private litigation.
	rights. (a) Applicability of statutory and	SUBCH	APTER II—PUBLIC ACCOMMODATIONS
	common law.		
	(b) Attorney's fees.	2000a.	Prohibition against discrimination or segregation in places of public accom-
	(c) Expert fees.		modation.
1989.	United States magistrate judges; ap-		(a) Equal access.
	pointment of persons to execute warrants.		(b) Establishments affecting inter-
1990.	Marshal to obey precepts; refusing to re-		state commerce or supported
1000.	ceive or execute process.		in their activities by State ac-
1991.	Fees; persons appointed to execute proc-		tion as places of public ac- commodation; lodgings; facili-
1000	ess.		ties principally engaged in
1992. 1993.	Speedy trial. Repealed.		selling food for consumption
1994.	Peonage abolished.		on the premises; gasoline sta-
1995.	Criminal contempt proceedings; pen-		tions; places of exhibition or entertainment; other covered
1000	alties; trial by jury.		establishments.
1996.	Protection and preservation of tradi- tional religions of Native Americans.		(c) Operations affecting commerce;
1996a.	Traditional Indian religious use of pe-		criteria; "commerce" defined.
	yote.		(d) Support by State action.
	(a) Congressional findings and dec-	0000- 1	(e) Private establishments.
	larations.	2000a–1.	Prohibition against discrimination or segregation required by any law, stat-
	(b) Use, possession, or transportation of peyote.		ute, ordinance, regulation, rule or
	(c) Definitions.		order of a State or State agency.
	(d) Protection of rights of Indians	2000a–2.	Prohibition against deprivation of, inter-
	and Indian tribes.		ference with, and punishment for exer- cising rights and privileges secured by
1996b.	Interethnic adoption.		section 2000a or 2000a-1 of this title.
	(1) Prohibited conduct.	2000a-3.	Civil actions for injunctive relief.
	(2) Enforcement.(3) No effect on Indian Child Wel-		(a) Persons aggrieved; intervention
	fare Act of 1978.		by Attorney General; legal representation; commence-
SUBCHAPT	ER I-A—INSTITUTIONALIZED PERSONS		ment of action without pay-
1997.	Definitions.		ment of fees, costs, or secu-
1997a.	Initiation of civil actions.		rity.
	(a) Discretionary authority of Attorney General; pre-		(b) Attorney's fees; liability of United States for costs.
	conditions.		(c) State or local enforcement pro-
	(b) Discretionary award of attorney		ceedings; notification of State or local authority; stay of
	fees.		Federal proceedings.
	(c) Attorney General to personally sign complaint.		(d) References to Community Rela-
1997b.	Certification requirements; Attorney		tions Service to obtain vol-
	General to personally sign certifi-		untary compliance; duration of reference; extension of pe-
400=	cation.		riod.
1997c.	Intervention in actions.	2000a-4.	Community Relations Service; investiga-
	(a) Discretionary authority of Attorney General; pre-		tions and hearings; executive session;
	conditions; time period.		release of testimony; duty to bring about voluntary settlements.
	(b) Certification requirements by	2000a-5.	Civil actions by the Attorney General.
	Attorney General. (c) Attorney General to personally		(a) Complaint.
	sign motion to intervene.		(b) Three-judge district court for cases of general public impor-
	(d) Discretionary award of attorney		tance: hearing, determina-
	fees; other award provisions unaffected.		tion, expedition of action, re-
1997d.	Prohibition of retaliation.		view by Supreme Court; single judge district court: hearing.
1997e.	Suits by prisoners.		determination, expedition of
	(a) Applicability of administrative		action.
	remedies. (b) Failure of State to adopt or ad-	2000a–6.	Jurisdiction; exhaustion of other remedies; exclusiveness of remedies; asser-
	here to administrative griev-		tion of rights based on other Federal or
	ance procedure.		State laws and pursuit of remedies for
	(c) Dismissal.		enforcement of such rights.
	(d) Attorney's fees.	GIID	CHAPTER III—PUBLIC FACILITIES
	(e) Limitation on recovery.	500	Ciril actions be the All

2000b.

Civil actions by the Attorney General.

(f) Hearings.

Sec.

- (a) Complaint; certification; institution of civil action; relief requested; jurisdiction; impleading additional parties as defendants.
- (b) Persons unable to initiate and maintain legal proceedings.
- 2000b-1. Liability of United States for costs and attorney's fee.
- 2000b-2. Personal suits for relief against discrimi-

nation in public facilities. 2000b-3. "Complaint" defined.

SUBCHAPTER IV—PUBLIC EDUCATION

 $\begin{array}{ll} 2000c. & Definitions. \\ 2000c-1. & Omitted. \end{array}$

2000c-2. Technical assistance in preparation, adoption, and implementation of plans

for desegregation of public schools.

2000c-3. Training institutes; stipends; travel allowances.

2000c-4. Grants for inservice training in dealing with and for employment of specialists to advise in problems incident to desegregation; factors for consideration in making grants and fixing amounts, terms, and conditions.

2000c-5. Payments; adjustments; advances or reimbursement; installments.

2000c-6. Civil actions by the Attorney General.

- (a) Complaint; certification; notice to school board or college authority; institution of civil action; relief requested; jurisdiction; transportation of pupils to achieve racial balance; judicial power to insure compliance with constitutional standards; impleading additional parties as defendants.
- (b) Persons unable to initiate and maintain legal proceedings.
- (c) "Parent" and "complaint" defined.

2000c-7. Liability of United States for costs.

2000c-8. Personal suits for relief against discrimi-

nation in public education.

2000c-9. Classification and assignment.

SUBCHAPTER V—FEDERALLY ASSISTED PROGRAMS

2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin.

2000d-1. Federal authority and financial assistance to programs or activities by way of grant, loan, or contract other than contract of insurance or guaranty; rules and regulations; approval by President; compliance with requirements; reports to Congressional committees; effective date of administrative action.

2000d-2. Judicial review; administrative procedure provisions.

2000d-3. Construction of provisions not to authorize administrative action with respect to employment practices except where primary objective of Federal financial assistance is to provide employment.

2000d-4. Federal authority and financial assistance to programs or activities by way of contract of insurance or guaranty.

2000d-4a. "Program or activity" and "program" defined.

2000d-5.

Prohibited deferral of action on applications by local educational agencies seeking Federal funds for alleged noncompliance with Civil Rights Act.

2000d-6. Policy of United States as to application of nondiscrimination provisions in schools of local educational agencies.

- (a) Declaration of uniform policy.
- (b) Nature of uniformity.
- (c) Prohibition of construction for diminution of obligation for enforcement or compliance with nondiscrimination requirements.
- (d) Additional funds.

2000d-7. Civil rights remedies equalization.

- (a) General provision.
- (b) Effective date.

SUBCHAPTER VI—EQUAL EMPLOYMENT OPPORTUNITIES

2000e. Definitions.

2000e-1. Applicability to foreign and religious employment.

- (a) Inapplicability of subchapter to certain aliens and employees of religious entities.
- (b) Compliance with statute as violative of foreign law.
- (c) Control of corporation incorporated in foreign country.

2000e-2. Unlawful employment practices.

- (a) Employer practices.
- (b) Employment agency practices.
- (c) Labor organization practices.
- (d) Training programs.
- (e) Businesses or enterprises with personnel qualified on basis of religion, sex, or national origin; educational institutions with personnel of particular religion.
- (f) Members of Communist Party or Communist-action or Communist-front organizations.
- (g) National security.
- (h) Seniority or merit system; quantity or quality of production; ability tests; compensation based on sex and authorized by minimum wage provisions.
- (i) Businesses or enterprises extending preferential treatment to Indians.
- (j) Preferential treatment not to be granted on account of existing number or percentage imbalance.
- (k) Burden of proof in disparate impact cases.
- (l) Prohibition of discriminatory use of test scores.
- (m) Impermissible consideration of race, color, religion, sex, or national origin in employment practices.
- (n) Resolution of challenges to employment practices implementing litigated or consent judgments or orders.

2000e-3. Other unlawful employment practices.

(a) Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings. Sec.

(b) Printing or publication of notices or advertisements indicating prohibited preference, limitation, specification, or discrimination; occupational qualification exception.

2000e-4. Equal Employment Opportunity Commission.

- (a) Creation; composition; political representation; appointment; term; vacancies; Chairman and Vice Chairman; duties of Chairman; appointment of personnel; compensation of personnel.
- (b) General Counsel; appointment; term; duties; representation by attorneys and Attorney General.
- (c) Exercise of powers during vacancy; quorum.
- (d) Seal: judicial notice.
- (e) Reports to Congress and the President.
- (f) Principal and other offices.
- (g) Powers of Commission.
- (h) Cooperation with other departments and agencies in performance of educational or promotional activities; outreach activities.
- (i) Personnel subject to political activity restrictions.
- (j) Technical Assistance Training Institute.
- (k) EEOC Education, Technical Assistance, and Training Revolving Fund.

2000e-5 Enforcement provisions.

- (a) Power of Commission to prevent unlawful employment practices.
- (b) Charges by persons aggrieved or member of Commission of unlawful employment practices by employers, etc.; filing; allegations; notice to respondent; contents of notice; investigation by Commission; contents of charges; prohibition on disclosure of charges; determination of reasonable cause; conference, conciliation, and persuasion for elimination of unlawful practices; prohibition on disclosure of informal endeavors to end unlawful practices; use of evidence in subsequent proceedings; penalties for disclosure of information; time for determination of reasonable cause.
- (c) State or local enforcement proceedings; notification of State or local authority; time for filing charges with Commission; commencement of proceedings.
- (d) State or local enforcement proceedings; notification of State or local authority; time for action on charges by Commission.

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- (e) Time for filing charges; time for service of notice of charge on respondent; filing of charge by Commission with State or local agency; seniority sys-
- (f) Civil action by Commission, Attorney General, or person aggrieved; preconditions; procedure; appointment of attorney; payment of fees, costs, or security; intervention; stay of Federal proceedings; action for appropriate temporary or preliminary relief pending final disposition of charge; jurisdiction and venue of United States courts; designation of judge to hear and determine case; assignment of case for hearing; expedition of case; appointment of master.
- (g) Injunctions; appropriate affirmative action; equitable relief; accrual of back pay; reduction of back pay; limitations on judicial orders.
- (h) Provisions of chapter 6 of title 29 not applicable to civil actions for prevention of unlawful practices.
- (i) Proceedings by Commission to compel compliance with judicial orders.
- (j) Appeals.
- (k) Attorney's fee; liability of Commission and United States for costs.

2000e-6. Civil actions by the Attorney General.

- (a) Complaint.
 - (b) Jurisdiction; three-judge district court for cases of general public importance: hearing, determination, expedition of action, review by Supreme Court; single judge district court: hearing, determination, expedition of action.
 - (c) Transfer of functions, etc., to Commission; effective date; prerequisite to transfer: execution of functions by Commission.
 - (d) Transfer of functions, etc., not to affect suits commenced pursuant to this section prior to date of transfer.
 - (e) Investigation and action by Commission pursuant to filing of charge of discrimination; procedure.

2000e-7. Effect on State laws. 2000e-8. Investigations.

- (a) Examination and copying of evidence related to unlawful employment practices.
- (b) Cooperation with State and local agencies administering State fair employment practices laws; participation in and contribution to research and other projects; utilization of services; payment in adreimbursement; vance oragreements and rescission of agreements.

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- (c) Execution, retention, and preservation of records; reports to Commission; training program records; appropriate relief from regulation or order for undue hardship; procedure for exemption; judicial action to compel compliance.
- (d) Consultation and coordination between Commission and interested State and Federal agencies in prescribing reordkeeping and reporting requirements; availability of information furnished pursuant to recordkeeping and reporting requirements; conditions on availability.
- (e) Prohibited disclosures; penalties.
- 2000e–9. Conduct of hearings and investigations pursuant to section 161 of title 29.
- 2000e-10. Posting of notices; penalties.
- 2000e-11. Veterans' special rights or preference.
- 2000e-12. Regulations; conformity of regulations with administrative procedure provisions; reliance on interpretations and instructions of Commission.
- 2000e-13. Application to personnel of Commission of sections 111 and 1114 of title 18; punishment for violation of section 1114 of title 18.
- 2000e-14. Equal Employment Opportunity Coordinating Council; establishment; composition; duties; report to President and Congress.
- 2000e-15. Presidential conferences; acquaintance of leadership with provisions for employment rights and obligations; plans for fair administration; membership.
- 2000e–16. Employment by Federal Government.
 - (a) Discriminatory practices prohibited; employees or applicants for employment subject to coverage.
 - (b) Equal Employment Opportunity Commission; enforcement powers; issuance of rules, regulations, etc.; annual review and approval of national and regional equal employment opportunity plans; review and evaluation of equal employment opportunity programs and publication of progress reports; consultations with interested parties; compliance with rules, regulations, etc.; contents of national and regional equal employment opportunity plans; authority of Librarian of Congress.
 - (c) Civil action by employee or applicant for employment for redress of grievances; time for bringing of action; head of department, agency, or unit as defendant.
 - (d) Section 2000e-5(f) through (k) of this title applicable to civil actions.
 - (e) Government agency or official not relieved of responsibility to assure nondiscrimination in employment or equal employment opportunity.

Sec. 2000e–17.

Procedure for denial, withholding, termination, or suspension of Government contract subsequent to acceptance by Government of affirmative action plan of employer; time of acceptance of plan.

SUBCHAPTER VII—REGISTRATION AND VOTING STATISTICS

2000f. Survey for compilation of registration and voting statistics; geographical areas; scope; application of census provisions; voluntary disclosure; advising of right not to furnish information.

SUBCHAPTER VIII—COMMUNITY RELATIONS SERVICE

2000g. Establishment of Service; Director of Service: appointment, term; personnel.
2000g-1. Functions of Service.
2000g-2. Cooperation with other agencies; conciliation assistance in confidence and without publicity; information as confidential; restriction on performance of investigative or prosecuting functions; violations and penalties.

2000g-3. Reports to Congress.

SUBCHAPTER IX—MISCELLANEOUS PROVISIONS

2000h. Criminal contempt proceedings: trial by jury, criminal practice, penalties, exceptions, intent; civil contempt proceedings.

2000h-1. Double jeopardy; specific crimes and criminal contempts.

2000h-2. Intervention by Attorney General; denial of equal protection on account of race, color, religion, sex or national origin.

2000h-3. Construction of provisions not to affect authority of Attorney General, etc., to institute or intervene in actions or

proceedings.

2000h-4. Construction of provisions not to exclude operation of State laws and not to invalidate consistent State laws.

2000h-5. Authorization of appropriations.

2000h-6. Separability.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 11111 of this title.

SUBCHAPTER I—GENERALLY

§ 1981. Equal rights under the law

(a) Statement of equal rights

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) "Make and enforce contracts" defined

For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) Protection against impairment

The rights protected by this section are protected against impairment by nongovernmental